

**MINUTES OF THE  
SEVENTH REGULAR MEETING OF THE  
2001 REAPPORTIONMENT COMMISSION**

**July 26, 2001  
2:00 p.m.**

**Hawaii State Capitol  
Room 329  
Honolulu, Hawaii**

**Commissioners in Attendance:**

Mr. Wayne K. Minami, Chairperson  
Mr. Deron K. Akiona  
Ms. Jill E. Frierson  
Ms. Lori Hoo  
Mr. Shelton Jim On  
Mr. Lynn C. Kinney  
Mr. Kenneth T.G. Lum  
Mr. Harold S. Masumoto  
Mr. David Rae

**Advisory Council in Attendance:**

Mr. Stephen Goodenow, Oahu  
Mr. Jim Hall, Oahu  
Mr. Robert Ogawa, Oahu  
Ms. Geal Talbert, Oahu  
Mr. Frank Jung, Hawaii  
Ms. Shirley Spencer, Hawaii  
Mr. Mark Andrews, Maui  
Mr. Fred Rohlfing, Maui  
Ms. Madge Schaefer, Maui  
Mr. Manuel Moniz, Maui  
Ms. Betty Chandler, Kauai  
Mr. Dennis Esaki, Kauai  
Mr. Jerome Hew, Kauai  
Ms. Trinette Kauai, Kauai

**Technical Support Staff in Attendance:**

Mr. Dwayne D. Yoshina, Office of Elections  
Mr. David Rosenbrock, Office of Elections/Reapportionment Staff  
Mr. Lawrence Chun, Office of Elections/Reapportionment Staff  
Ms. Cynthia Fukunaga, Office of Elections/Reapportionment Staff

**Minutes of the Seventh Regular Meeting of the 2001 Reapportionment Commission**  
**Page 2**

Mr. Strather Ing, Office of Elections/Reapportionment Staff  
Ms. Keala Naluai, Office of Elections/Reapportionment Staff  
Mr. Scott Nago, Office of Elections  
Mr. Rex Quidilla, Office of Elections  
Mr. Brian Aburano, Department of the Attorney General  
Mr. Aaron Schulaner, Department of the Attorney General

**Observers Present:**

Mr. Larry Meacham, Common Cause Hawaii  
Ms. Jean Aoki, League of Women Voters  
Mr. Marc Oto, Speaker of the House Office  
Mr. Chadd Kadota, Clerk's Office City & County  
Mr. Glen Takahashi, City Clerks Office  
Mr. Pat Omandam, Honolulu Star Bulletin  
Ms. Lynne Matusow, Downtown Neighborhood Board  
Ms. Joan Manke, US Representative Mink Office  
Rep. Chris Halford, House of Representatives  
Ms. Roberta Weatherford, Representative Bertha Leong Office  
Ms. Bertha Leong, House of Representatives District 16  
Mr. Clifton Takamura, Neighborhood Board 08  
Mr. Tom Gill, American Civil Liberties Union  
Mr. Bob Carter, Senator Hemmings Office  
Ms. Denby Fawcett, KITV News  
Mr. Brian Fuchigami, Representative Yoshinaga Office  
Ms. Yvonne Keane, Representative Pasty Mink Office  
Mr. Nathan Takeuchi, Representative Roy Takumi Office  
Mr. Kevin Dayton, Honolulu Advertiser  
Ms. Tina Shelton, KHON TV News  
Mr. Pat McCain, Public observer  
Ms. Mindy Jaffe, House of Representatives District 19  
Ms. Mona Kapaku, Representative Bukoski Office  
Mr. Mark Takai, House of Representatives District 34  
Mr. Bert Warashina, Senate Office  
Ms. Make Lum Hoy, Representative Kahihina Office  
Mr. Henry Curtis, Life of the Land  
Ms. Kat Brady, Live of the Land

**I. Call to Order**

Chairperson, Wayne Minami, called the Seventh Regular Meeting of the 2001 Reapportionment Commission to order at 2:14 p.m. in Conference Room 329 of the Hawaii State Capitol, Honolulu, Hawaii.

**II. Approval of Minutes**

Commissioner Jill Frierson moved to have the minutes of the Sixth Regular Meeting of the 2001 Reapportionment Commission on July 19, 2001 approved. Commissioner Lynn Kinney seconded the motion. The motion was carried unanimously by the Commissioners in attendance.

**PROCEEDINGS**

**III. Advisory Councils Testimony**

**A. Testimony by Ms. Madge Schaefer, Maui Advisory Council Member**

1. Ms. Schaefer read a letter that she presented to the Commission. She, on behalf of the Maui Advisory Council, requested that the Reapportionment Commission include a recommendation in the 2001 Reapportionment Commission final report. She asked that they consider the following:

“Future Reapportionment Commission membership should be determined on a proportional basis of citizen population to insure that each neighbor island county has representation as well as a voice on the Commission.” Madge Schaefer, Fred Rohlfing, and Mark Andrews signed the letter.

**B. Testimony by Mr. Jim Hall, Oahu Advisory Council Member**

Mr. Hall asked the Commission if it used the method of equal proportions in allocating legislative seats to the basic island units.

Chairperson Minami said that the subject will be discussed during the Technical Committee briefing. They will discuss the process.

**C. Testimony by Mr. Mark Andrews, Maui Advisory Council Member**

Mr. Andrews mentioned to the Commission that the Geotrack software, but the learning curve is tremendous and is very difficult to install and work with. He asked for technical support by the staff to help the public with questions. He also mentioned that they would like to submit plans that would be easier for the Commission, which would be using the same software that the Commission is using.

Mr. David Rosenbrock mentioned that the Environmental Systems Research Institute, Inc. (ESRI) is contracted to provide technical support. There is a number on the instructions for the users to contact for technical support. The Reapportionment staff is required to help the Commission and ESRI is required

**Minutes of the Seventh Regular Meeting of the 2001 Reapportionment Commission**  
**Page 4**

to help all others. Mr. Rosenbrock mentioned that using the software will not be easy.

**IV. Decision Making on Congressional Districts**

The Technical Committee recommended the Traditional Plan to submit to the Commission for approval to take the plan to public hearings.

Mr. Rosenbrock outlined the boundaries of the Traditional Plan by place names.

The border begins and follows the eastern border of old Barbers Point Naval Station, continuing on the northern border of Ewa Villages, past the Honowai area of Waipahu then up through the Village Park-Waikele area. Northerly along the Waikele Stream, past Mililani and Waipio Acres then towards the Koolau Ridge. Continuing easterly along the Koolau Ridge down to Makapuu Point.

The statewide deviation for the Traditional plan would be 0.4%.

Chairperson Minami moved that the Commission adopt the Traditional Plan as outlined by the Reapportionment staff to take to public hearings. Commissioner Jill Frierson seconded the motion.

Discussion:

1. Commissioner Harold Masumoto asked that the Commission take into further consideration the North/South Plan for Congressional Districting. He feels that times have changed since the demographics and economic situations have been established in 1969. The demographics and economic situation have changed statewide and do not exist anymore. Mr. Masumoto feels that it is time to consider an alternative plan for the congressional districts.
2. Commissioner Frierson said thank you for bringing the North/South plan to the table and had caused her to think about the situation. It was a good proposal, but after a lot of thought, she decided on the Traditional Plan to consider.

Roll Call:

Commissioners Akiona, Frierson, Hoo, Jim On, Kinney, Lum, Rae and Chairperson Minami voted yes, while Commissioner Masumoto voted no to the motion. With an eight (8) to one (1) vote, the motion to adopt the Traditional Plan for public hearing by the Reapportionment Commission was carried.

**V. Committee Reports**

**A. Public Information Committee**

Commissioner Rae reported that there have been requests for Reapportionment staff to set up meetings for the Advisory Councils on the neighbor islands. The Oahu Advisory Council has set up dates that may pose some problems with regard to the Commission. Commissioner Rae asked the Deputy Attorney General if the Advisory Council are allowed to hold hearings on the proposed plan during the 20-day period of notice for the published plans.

Mr. Brian Aburano, Deputy Attorney General, said that under the Commission's Rule 13, the Advisory Councils are bound by the same rules as required by the Hawaii Revised Statutes, Section 5(2) for the Commission.

Commissioner Rae asked that the Oahu Advisory Council meet with the Public Information Committee to work out something that they can do. Regarding the testimony earlier, it might be easier to hold meetings on using the software and not necessarily hold hearings about the plans itself.

Mr. Stephen Goodenow from the Oahu Advisory Council asked if the commission could suspend the rule as describe above. He also asked if the scope of the meetings would be reduced to how the process of reapportionment works and other issues other than having hearings on the plans. Commissioner Rae mentioned that it would be wise to meet with the Deputy Attorney General and take into consideration what has already been done at the Big Island meetings and follow those criteria.

**B. Technical Committee**

The Technical Committed does not have a proposal for consideration by the Commission. They requested to recess the meeting and reassemble the meeting on Tuesday, July 31, 2001 at 2:00 p.m. to propose the redistricting plans for the House and Senate Districts.

Mr. Rosenbrock made a presentation of issues faced by the Technical Committee in the redistricting process and the impact of the responsibilities of the Commission.

1. Population Change – The State population base was read off for each county for the year 1990 and 2000. The difference in population was as follows:

C&C Honolulu	+15%	Maui	+27%
Hawaii	+23%	Kauai	+15%

**Minutes of the Seventh Regular Meeting of the 2001 Reapportionment Commission**  
**Page 6**

The total population difference between 1990 and 2000 population base:

C&C Honolulu	+107,748	Maui	+27,572
Hawaii	+27,821	Kauai	+7,423

With the State population base for 2000 of 1,164,468 the Senate target population (25) is 46,579 and the House target population (51) is 22,833.

2. Population Shifts – Mr. Rosenbrock gave some examples from East Oahu on how the districts must grow and some examples from West Oahu on how the districts must shrink. (see handout A for more details)
3. Effects on Redistricting – A summary of the effects and restraints of redistricting.

The Commission's constraints in redistricting are equal representation, geography, and constitutional requirements. (see handout A for more details)

Mr. Rosenbrock's conclusion is that the islands must have canoe districts.

**VI. Recess the Meeting**

Chairperson Minami recessed the Seventh meeting of the Reapportionment Commission until Tuesday, July 31, 2001, 2:00 p.m. at the State Capitol Room 329. The meeting was recessed at 2:46 p.m.

The meeting was reconvened on Tuesday, July 31, 2001, 2:10 p.m. at the State Capitol Room 329.

**VII. Committee Reports (continued)**

**B. Technical Committee (cont.)**

The Technical Committee report was presented at the reconvene of the meeting on Tuesday, July 31, 2001.

Chairperson Minami reported that the Technical Committee has a proposed redistricting plan for the House and Senate, which will be up for adoption by the Commission on Thursday, August 02, 2001.

1. The Commission will be adopting the proposed plans for public hearings on Thursday, August 02, 2001. After which, the Commission will go to public hearings during the month of September, where the public will have lots of time for input and final adoption on the plans will be in October.

## **Minutes of the Seventh Regular Meeting of the 2001 Reapportionment Commission**

### **Page 7**

2. Mr. Rosenbrock reviewed the presentation made on Thursday, July 26, 2001 and presented the Technical Committee's recommendations for the House and Senate Districts. The House and Senate districts were shown to the Commission and all those in attendance with some detail. Mr. Rosenbrock also discussed the staggered Senate terms that will be assigned to the respected Senate Districts. (see handout A)

Commissioner Masumoto clarified that the plans that have been presented today are for adopting but for adoption on Thursday. The Commission will take these plans to public hearings. Chairperson Minami affirmed the statement.

#### **VIII. Support Services**

##### **A. GIS Staff Services Status Report**

There is no report at this time

##### **B. Administrative Staff Services Status Report**

There is no report at this time

#### **IX. Correspondence and Announcements**

Mr. Dwayne Yoshina, Secretary to the Commission, reported that they have received a total of eight (8) correspondences from the public and Advisory Councils so far which is listed in the Commission's package.

#### **X. Executive Session**

Chairperson Minami suggested that the Commission go into executive session to discuss the complaint raised by Common Cause Hawaii and to meet with the Commission's Deputy Attorney on the issue. Commissioner Lynn Kinney moved that the Commission go into Executive Session to discuss the issues outlined by Chairperson Minami. Commissioner Deron Akiona seconded the motion. The motion was carried unanimously by the Commissioners in attendance.

The Commission went into executive session at 2:36 p.m. The meeting was reconvened at 3:21 p.m.

Commissioner Shelton Jim On moved that the Commission allow any member of the public to view or have access to the proposed redistricting plans that were shown to legislators of either parties. Commissioner Frierson seconded the motion. The motion was carried unanimously by the Commissioners in attendance.

**XI. Public Testimony**

Chairperson Minami mentioned that prior to executive session, there were members of the public wanting to testify. The Commission has is now ready to hear public testimony.

- a. Testimony by Mr. Larry Meachem, Common Cause Hawaii

Thanked the Commission for allowing public testimony at the meeting. Mr. Meachem asked the Commission to consider a suggestion presented to reduce the number of canoe districts. (see written testimony, Appendix B)

- b. Testimony by Mr. Henry Curtis, Life of the Land

Mr. Curtis asked that the Commission post a notice that a meeting is recessed over a period of more than one day.

- c. Testimony by Ms. Jean Aoki, League of Women Voters

Ms. Aoki read a written testimony to the Commission regarding the rumors that have come about from the media and allowing public access to the process of redistricting. (see written testimony, Appendix C)

- d. Testimony by Ms. Schaefer, Maui Advisory Council member

Ms. Schaefer mentioned to the commission of some information that she has researched and asked for their consideration. She read from the Senate Journal Standing Committee Report on House Bill 23-27.

“The purpose of this bill is to propose a constitutional amendment to change the legislative apportionment base from registered voters to permanent resident population, which was the base selected by the 1991 Reapportionment Commission in development of its plans. (See the 1991 Reapportionment Commission final report in reapportionment plan).

“Based on the reasons set forth in Chapter 3 of the final report, your committee also supports the use of a permanent resident population base and made technical amendments for purposes of clarity and style.”

Ms. Schaefer also read from Chapter 3 of the 1991 Reapportionment Commission Final Report.

“The Commission finds that there are pervasive reasons to exclude non-resident military as transients from the population base for purposes of legislative reapportionment in addition to the reasons already stated.... These factors as well as the information gained from experts leads the Commission to conclude that exclusion of non-resident military from the



**Minutes of the Seventh Regular Meeting of the 2001 Reapportionment Commission**  
**Page 9**

census data will come as close as possible to the desired permanent resident base for legislative reapportionment.”

Ms. Schaefer said that there was an amendment to the Constitution that voters voted to support the amendment to the population base. She asked that the Commission for a motion to reconsider their decision on the population base.

**XII. Other Business**

There was no other business to discuss

**XIII. Adjournment**

There being no other business to discuss Commissioner Kinney moved to adjourn the Seventh Meeting of the 2001 Reapportionment Commission. Commissioner Akiona seconded the motion.

The Seventh Regular Meeting of the 2001 Reapportionment Commission was adjourned at 3:35 p.m.

Respectfully submitted,

Dwayne D. Yoshina  
Chief Election Officer  
Secretary of the  
2001 Reapportionment Commission